

## **REMARKS**

### **Status of Claims**

Claims 1-9 were previously pending in the application.

Limitations from claims 2 and 4 have been incorporated into claims 1 and 9. Claim 2 is accordingly canceled. Claim 4 is revised to an independent claim and further recite the term “honeycomb structure” as found in paragraph [0009] of the specification as filed.

Claim 3 is canceled as inconsistent with claim 1.

The dependency of claim 5 has been corrected.

Accordingly, claims 1 and 4-9 are presented for Examination.

### **Office Action**

Turning to the Office Action, Claims 1-9 are rejected under 35 U.S.C. §102(b) as being anticipated by Fero et al. (US 6,959,956).

Considering first the rejection of claim 1, Fero et al. is cited for disclosing a motor vehicle having at least one microphone (16) fixed to a headliner (12) of a vehicle occupant cell of the vehicle and at least one sun visor (10) pivotally fixed to the headliner, wherein the microphone is located at a point on the headliner at which the microphone, and wherein the sun visor is sound-permeable in Figure 1.

In response, Applicants amend claim 1 as discussed above. Fero et al nowhere explicitly teach the important claim limitation that air ducts are oriented basically parallel to an imaginary line connecting the microphone to the head of the occupant.

It is noted that Fero et al in col. 2, line 55 teach that an acoustic element 26 may be a speaker mounted on or integrated into the headliner body 14, for example, sandwiched between adjacent layers of the headliner body 14. The system 16 may include one or more acoustic elements 26 configured as microphones.

Fero et al further teach, with reference to FIG. 2, that the sun visor 18 may also include an acoustic element or transducer 45, such as a microphone or speaker element, disposed within the substrate 32 of the visor body 30.

From an overall reading of Fero et al, it is apparent that the primary focus of Fero et al is on loudspeakers, with the mention of microphones as an alternative embodiment within the overall concept of the invention.

This is important for the reason that those working in this art recognize that a loudspeaker is driven electronically and broadcasts omni-directionally. The acoustic output (volume) can be adjusted to the taste of the listener, and the loudspeaker floods the environment with sound. For this reason, the visor body of Fero et al is either not oriented for acoustically channeling sound, or if at all, it is designed to transmit sound perpendicular to the direction of transmission of the loudspeaker (i.e., perpendicular to the headliner).

As disclosed in Rico col. 3 line 23: "Furthermore, the first portion 36 has multiple first holes 40 that extend through the first portion 36, and the second portion 38 has multiple second holes 42 that are generally aligned with the first holes 40 and that extend through the second portion 38. Alternatively, the second holes 42 may be offset with respect to the first holes 40. The holes 40 and 42 are configured to allow sound waves to pass through the visor body 30."

The present invention in contrast is limited to a sun visor for use in conjunction with a microphone, and represents an improvement over the teaching of Fero et al. The present invention recognizes that any partial barrier between an imaginary direct line connecting the speaker and the microphone results in degradation of recording quality that can not be corrected by merely increasing microphone sensitivity. For this reason, the present claims recite that the sun visor (6) has a plurality of air ducts (13) in its sound-permeable area (7), and that in the position in which the sun visor (6) is swung up against the headliner (4) the air ducts (13) are oriented basically parallel to a line (14) connecting the microphone to the head (15) of an occupant. This limitation is nowhere taught in Fero et al.

The present invention thus represents an improvement over the basic teaching of Fero et al.

As disclosed in paragraph [0008] of the present specification as filed, the orientation of the slats 12 is approximately parallel to an imaginary connecting line 14, shown in Fig. 1, between the microphone 8 and the head 15 of a vehicle occupant, whose speech is to be registered by the microphone 8.

As disclosed in paragraph [00021] of the specification as filed, compared to conventional locations for microphones in the area of the rear-view mirror or on a roof console, a microphone located according to the invention is capable of obtaining an approximately 5 dB better signal-to-noise ratio at a road speed of 100 – 130 km/h.

Accordingly, claim 1 as amended is not anticipated by the teachings of Fero et al.

Regarding claim 2, Fero et al. '956 discloses the motor vehicle, wherein the sun visor (30) has a plurality of air ducts (40 and 42) in its sound-permeable area.

Claim 2 is canceled, thus this rejection is rendered moot.

Regarding claim 3, Fero et al. '956 discloses the motor vehicle, wherein in the position in which the sun visor is swung up against the headliner the air ducts run basically perpendicular to the headliner.

Claim 3 is canceled as inconsistent with amended claim 1, thus this rejection is rendered moot.

Regarding claim 4, Fero et al. '956 discloses a motor vehicle, wherein in the position in which the sun visor is swung up against the headliner the air ducts are oriented basically parallel to a line connecting the microphone to the head of the occupant.

Applicants respectfully traverse – there is no explicit teaching in Fero et al that air ducts are to be oriented basically parallel to a line connecting the microphone to the head of the occupant. Accordingly, Fero et al do not anticipate the present claims.

Regarding claim 5, Fero et al. '956 discloses the motor vehicle, wherein the length of the air ducts is greater than their width dimensions.

Applicants submit that this dependent claim is allowable by virtue of it's dependency from an allowable base claim.

Regarding claim 6, Fero et al. '956 discloses the motor vehicle, wherein the sun visor has at least one of a least one flat lattice structure and at least one perforated plate in its sound-permeable area.

Applicants submit that this dependent claim is allowable by virtue of its dependency from an allowable base claim.

Regarding claim 7, Fero et al. '956 discloses the motor vehicle, wherein the sun visor has an opaque membrane in its sound-permeable area.

Applicants submit that this dependent claim is allowable by virtue of its dependency from an allowable base claim.

Regarding claim 8, Fero et al. '956 discloses the motor vehicle, wherein the sound-permeable area is provided with a textile covering.

Applicants submit that this dependent claim is allowable by virtue of its dependency from an allowable base claim.

Regarding claim 9, Fero et al. '956 discloses a sun visor for a motor vehicle having at least one microphone fitted to a headliner of a vehicle occupant cell of the vehicle, the sun visor pivotally fitted to the headliner masking the microphone when in a position swung up against the headliner, wherein the sun visor is sound-permeable at least in its area masking the microphone.

Applicants have amended claim 9, and submit that Fero et al do not teach that in the position in which the sun visor (6) is swung up against the headliner (4) the air ducts (13) are oriented basically parallel to a line (14) connecting the microphone to the head (15) of an occupant. This limitation is nowhere taught in Fero et al.

Accordingly, withdrawal of the rejection is respectfully requested.

The Commissioner is hereby authorized to charge any fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 16-0877.

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. **Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.**

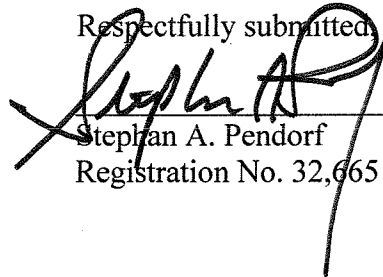
Application No: 10/590,874  
Amendment B

Attorney Docket No: 3926.261

Patent Central LLC  
1401 Hollywood Blvd.  
Hollywood, FL 33020-5237  
(954) 922-7315

Date: **August 4, 2008**

Respectfully submitted,



Stephan A. Pendorf  
Registration No. 32,665